

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

547D0763

## HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **SB195** - 2/17/00

Introduced by: Senators Lawler, Kloucek, Lange, and Staggers and Representatives Duenwald, Apa, Brown (Jarvis), Chicoine, Diedtrich (Elmer), Heineman, Juhnke, Monroe, Sebert, and Waltman

1 FOR AN ACT ENTITLED, An Act to prohibit or restrict certain acts in relation to human  
2 embryos.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. No person may knowingly conduct nontherapeutic research that destroys a human  
5 embryo. A violation of this section is a Class 1 misdemeanor.

6 Section 2. No person may knowingly conduct nontherapeutic research that subjects a human  
7 embryo to substantial risk of injury or death. No person may sell or transfer a human embryo  
8 with the knowledge that the embryo will be subjected to nontherapeutic research. A violation of  
9 this section is a Class 1 misdemeanor.

10 Section 3. No person may use for research purposes cells or tissues that the person knows  
11 were obtained by performing the activities described in sections 1 and 2 of this Act. A violation  
12 of this section is a Class 1 misdemeanor.

13 Section 4. For purposes of this Act, the term, nontherapeutic research, means research that  
14 is not intended to help preserve the life and health of the particular embryo subjected to risk. It  
15 does not include in vitro fertilization and accompanying embryo transfer to a woman's body or

1 any diagnostic test which may assist in the future care of a child subjected to such tests.

2 Section 5. For purposes of this Act, the term, human embryo, means a living organism of the

3 species *Homo sapiens* at the earliest stages of development (including the single-celled stage)

4 that is not located in a woman's body.

1    **BILL HISTORY**

2    1/24/00 First read in Senate and referred to Judiciary. S.J. 169

3    2/4/00 Scheduled for Committee hearing on this date.

4    2/4/00 Judiciary Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 328

5    2/9/00 Motion to Amend, Passed. S.J. 396

6    2/9/00 Senate Do Pass Amended, Passed, AYES 35, NAYS 0. S.J. 396

7    2/10/00 First read in House and referred to Judiciary. H.J. 564

8    2/16/00 Scheduled for Committee hearing on this date.

9    2/16/00 Judiciary Do Pass Amended, Passed, AYES 10, NAYS 3. H.J. 704